

ITEM #: 21  
DATE: 01-11-22

**COUNCIL ACTION FORM**

**SUBJECT: REZONE OF 23959 580<sup>TH</sup> AVENUE FROM “A” (AGRICULTURAL) TO “II” (INTENSIVE INDUSTRIAL) ZONING DISTRICT**

**BACKGROUND:**

The proposed rezoning includes one parcel, totaling 23.21 acres, addressed as 23959 580<sup>th</sup> Avenue. This property was annexed into the City in the summer of 2021. At the time of annexation, the subject property was assigned an “A” Agricultural zoning classification. The property has retained the “A” Agricultural zoning since that time. The site was previously developed in the county and is commonly referred to as the Caremoli (former) site. A map of the subject property with its zoning and the zoning of adjacent properties is included as *Attachment A*.

When the property was acquired by the current owner, it was located in the county. Through the approval of a Fringe Plan Amendment from Agricultural to Planned Industrial in July of 2020, the property was able to be annexed. (Attachment B-Land Use Designation) Subsequently, Ames Plan 2040 was approved and the designation for this area is “Employment”, which supports industrial zoning districts including the proposed Intensive Industrial “II” zoning district. **Rezoning this property to “II” Intensive Industrial will provide reuse of the property and its existing buildings.**

It should be noted that staff discovered the recently approved Future Land Use Map of Plan 2040 did not include the updated City boundary resulting from the annexation of this property in 2021. The final map should have included the site as being within the City and represented it as Employment as was done with all other Planned Industrial designation in the City. Staff will update the city boundary file for the Plan 2040 future land use map within GIS and include the area as Employment. No action is necessary by the City Council to apply the updated city boundary to the Future Land Use Map as it is a correction to a GIS data layer needed to comply with prior City Council approvals.

This property is currently developed and was formerly used as a food manufacturing facility. No City utilities will immediately serve this site at this time. The existing structures may be used and can continue to be used with rural water service. The site includes an onsite water tank to assist in meeting fire protection requirements. The site is served by an onsite septic system as well.

**It should be emphasized that the use of the site will be subject to full compliance with City building, fire, and zoning code requirements. The property owner will need to rehabilitate the buildings and utility services in order to fully reuse the site.**

The property currently maintains the Story County address. The address will be updated to a City of Ames address on Teller Avenue when new tenant spaces are created and permits are issued in order to set up an appropriate list of unit numbers.

Currently the site is accessed from 580<sup>th</sup> Avenue near the intersection with Highway 30.

Iowa Department of Transportation (IDOT) plans to improve this intersection with a new interchange. The north side of the property will have frontage along a new frontage road constructed by IDOT. The proposed rezoning does not alter any plans for road improvements in this area.

The Planning and Zoning Commission reviewed this request on December 16, 2021 and voted 4-0 to recommend the City Council approve the rezoning located at 23959 580<sup>th</sup> Avenue from “A” Agricultural to “II” Intensive Industrial.

**ALTERNATIVES:**

1. Approve on first reading the rezoning of the property located at 23959 580<sup>th</sup> Avenue from “A” Agricultural to “II” Intensive Industrial.
2. Deny the rezoning of the property located at 23959 580<sup>th</sup> Avenue from “A” Agricultural to “II” Intensive Industrial.
3. Defer action on this rezoning proposal and refer it back to City staff for additional information.

**CITY MANAGER’S RECOMMENDED ACTION:**

The request for rezoning is consistent with Plan 2040 as described in the addendum. Typically, use of a property within the City has full city utility services available to it for development. With the unique situation of it already being a developed site and the property owner’s understanding of the onsite rehabilitation needed for its reuse, staff believes the site is able to meet City codes and allow for industrial uses at this time.

**Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative #1, which is to rezone the property located at 23959 580<sup>th</sup> Avenue from “A” Agricultural to “II” Intensive Industrial.**

## ADDENDUM

### REZONING BACKGROUND:

This property is the former Caremoli site, a food manufacturing facility, developed in the County. Properties to the north and west are undeveloped and part of 2021 annexation. At the time of annexation, all of the annexed properties were assigned an “A” Agricultural zoning. The subject property has remained as “A” Agricultural zoning since that time.

When the current owner acquired the property, it was a developed property within the county. When working through the Fringe Plan Amendment and Annexation process with the property, Staff directed them to apply to be rezoned to Intensive Industrial. II, is a newly created Industrial zoning district within the city. Intensive Industrial was created to be used for properties located within the adjacent Prairie View Industrial Center development area.

**AMES PLAN 2040.** The site was designated as Planned Industrial at the time of its annexation in 2021. With Ames Plan 2040, Planned Industrial was modified to Employment as the land use designation, (see page 48 of Plan 2040), which supports industrial zoning districts and this rezoning request to II, Intensive Industrial. Land Use Principle LU5 (page 43) has a goal to provide employment for residents. The re-use of this site and existing buildings provides that possibility to the residents of Ames.

**Proposed Zoning.** The subject properties are currently undeveloped. A request to “II” (Intensive Industrial) is consistent with the proposed re-use of the property and existing buildings. The II zoning district was specifically created in 2021 for the purpose of applying it to land east of I-35 related to the Prairie View Industrial area.

**Existing Uses of Land.** Land uses that occupy the subject property and other surrounding properties are described in the following table:

<b>Direction from Subject Property</b>	<b>Existing Primary Land Uses</b>
Subject Property	Developed
North	Undeveloped; Crop Production
East	Light Commercial, Residential; Crop Production
South	US Highway 30; Crop Production
West	Undeveloped; Crop Production

### **Infrastructure**

Impacts on infrastructure and City services for this parcel are consistent with what is already anticipated for reuse of the property. No public utilities will serve this parcel and will continue to use rural water and septic services. Based on the City’s Capital

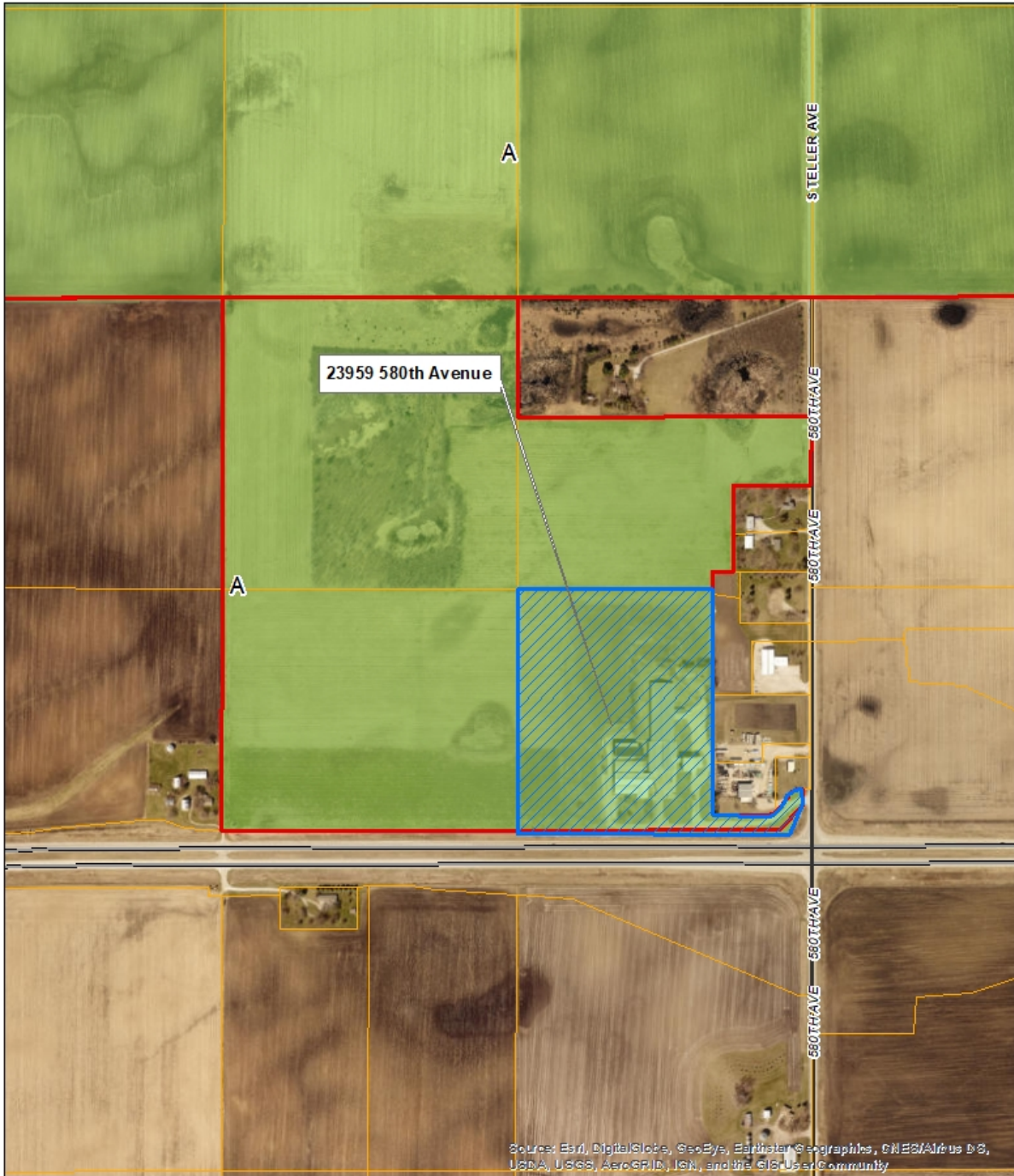
Improvements Plan, there are plans for extension of water main along East Lincoln Way. However, there are no plans to extend utilities down Teller Avenue or for the City to extend utilities to this area in the near future. Any future extension of City utilities that the owner chooses to connect to will be at the property owner's expense.

**Findings of Fact.** Based upon an analysis of the proposed rezoning and laws pertinent to the proposed map amendment, staff makes the following findings of fact:

1. The subject property is owned by Larson Leasing LC. The rezoning request and statement of justification is included as *Attachment C*.
2. Ames Municipal Code Section 29.1507(1) allows the property owner to initiate an amendment to the Official Zoning Map.
3. The subject properties are consistent with the designation of "Employment" identified in the Ames Plan 2040.
4. Development in the II zoning district requires a site plan review process to assure that such development and intensity of use assures a safe, functional, efficient, and environmentally sound operation. Reuse of existing buildings is subject to building and fire codes of the City of Ames.
5. Impacts on infrastructure and City services for this parcel is consistent with what is already anticipated for the area and the near adjacent Prairie View Industrial Center.

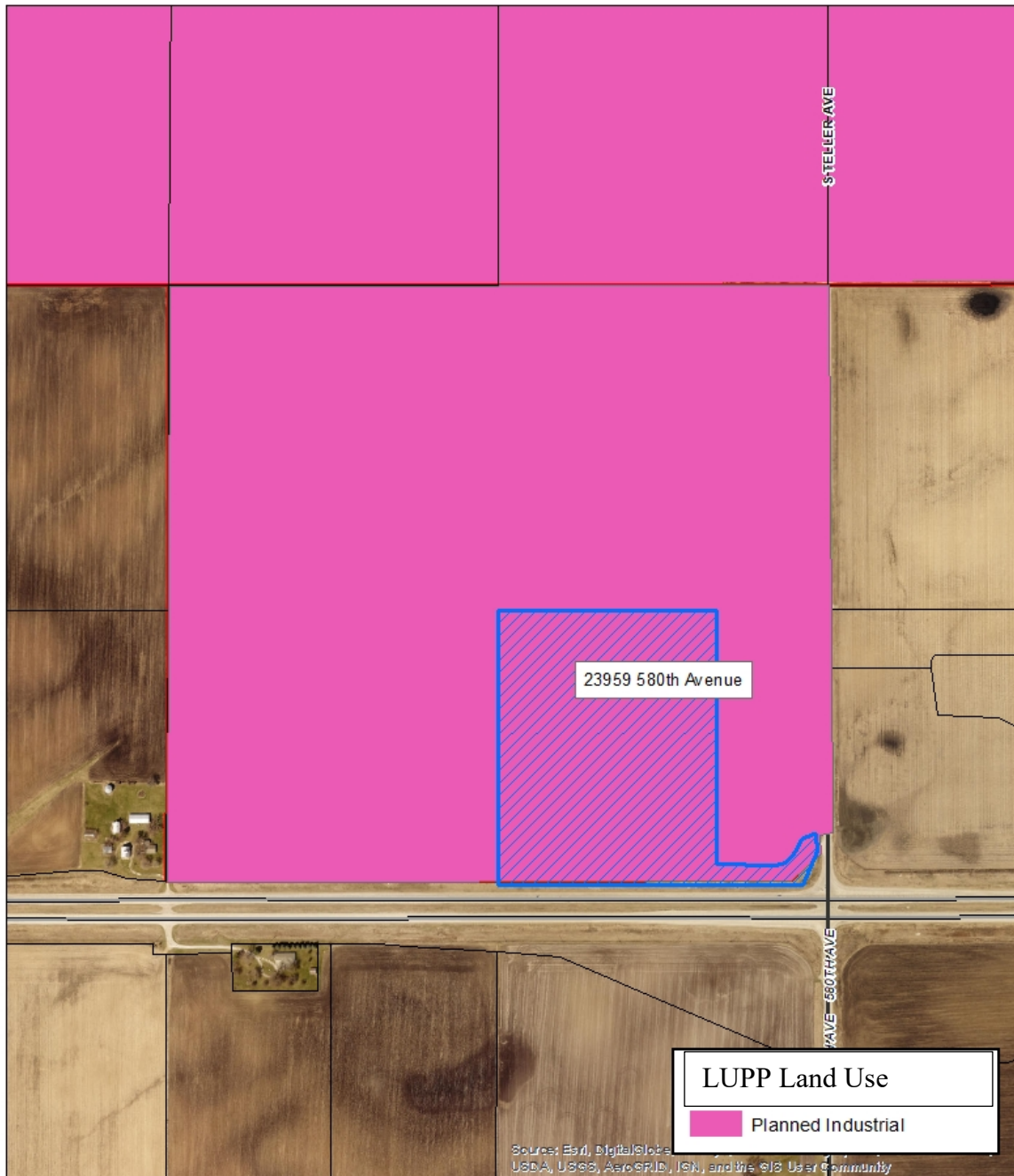
**Public Notice.** The City provided mailed notice to all property owners within 200 feet of the subject property prior to the meeting in accordance with the notification requirements of Chapter 29.

# ATTACHMENT A Location & Zoning Map



## 23959 580th Avenue Rezoning

**ATTACHMENT B  
LUPP Land Use Map**



**23959 580th Ave**

**\*Note that Planned Industrial was mapped as Employment within Plan 2040, but the City boundary of the Plan 2040 map did not reflect this annexation. The GIS city boundary layer will be corrected by staff for the Plan 2040 Future Land Use Map.**



# ATTACHMENT C

RECEIVED

NOV 12 2021

CITY OF AMES IA  
DEPT. OF PLANNING AND HOUSING

## City of Ames Rezoning Application

Larson Leasing, Inc. at 23959 50<sup>th</sup> Avenue, Ames, IA

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**1. Written explanation of the reasons for requesting rezoning.**

The property has recently been annexed in the City of Ames. The previous Story County zoning designation was Agriculture (A-2) and the current City of Ames zoning is Agricultural (A). The previous property owner was the Caremoli USA Inc and was utilized for food processing and warehousing. The property was recently purchased by Larson Leasing, Inc. They desire to rehab the facility and make it in compliance with City of Ames Code. They plan on repurposing the buildings for a multi-tenant lease facility. The applicant requests the property to be rezoned to Intensive Industrial – “II”.

**2. Written explanation of the consistency of this rezoning with the Land Use Policy Plan (LUPP).**

The requested rezoning is consistent with following goals of the LUPP:

- a. **Future Land Use Map.** The property was recently annexed into the City of Ames and the Future Land Use Map shows this area as Ames Urban Fringe.
- b. **Land Use Framework Map.** The property area in this map is designated as “Agricultural/Long-term Industrial Reserve.” This property was an agricultural production facility (Garst Seeds), transitioned into the Caremoli pasta processing facility, and now the new use will be transitioned into General Industrial (Intensive Industrial zoning classification). The proposed use is consistent with the Land Use Framework Map.
- c. **Future Land Use Allocation.** Per the LUPP the City of Ames plans to allocate 14-85 acres for General Industrial. This project will add approximately 23 acres to the proposed desired allocation area.
- d. **General Industrial.** The LUPP states that General Industrial uses shall involve individual facilities sitting in designated areas where the overall use and appearance requirements are less restrictive. The Intensive Industrial Zone purpose is to accommodate large industrial business development in the area east of Interstate 35 and adjacent to highways. This property is east of I-35 and is along HWY 30. Thus the proposed rezoning designation is consistent with the zoning purpose definition.

**3. Current zoning of the subject property.**

The property is currently zoned Agricultural - “A”

**4. Proposed zoning of the subject property.**

The requested rezoning request is Intensive Industrial – “II”

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DO NOT WRITE IN THE SPACE ABOVE THIS LINE, RESERVED FOR RECORDER  
Prepared by: City Clerk's Office, 515 Clark Avenue, Ames, IA 50010 Phone: 515-239-5105  
Return to: Ames City Clerk, P.O. Box 811, Ames, IA 50010

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF AMES, IOWA, AS PROVIDED FOR IN SECTION 29.301 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA, BY CHANGING THE BOUNDARIES OF THE DISTRICTS ESTABLISHED AND SHOWN ON SAID MAP AS PROVIDED IN SECTION 29.1507 OF THE *MUNICIPAL CODE* OF THE CITY OF AMES, IOWA; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND ESTABLISHING AN EFFECTIVE DATE**

**BE IT HEREBY ORDAINED** by the City Council of the City of Ames, Iowa;

Section 1: The Official Zoning Map of the City of Ames, Iowa, as provided for in Section 29.301 of the *Municipal Code* of the City of Ames, Iowa, is amended by changing the boundaries of the districts established and shown on said Map in the manner authorized by Section 29.1507 of the *Municipal Code* of the City of Ames, Iowa, as follows: That the real estate, generally located at 23959 580<sup>th</sup> Avenue, is rezoned from Agricultural "A" to Intensive Industrial "II".

**Real Estate Description:**

LDY, LLC LEGAL – PARCELS 10-08-400-100 AND 10-08-400-220

ALL OF PARCELS 'A' AND 'F' IN THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 8-83-23, WEST OF THE 5TH P.M., STORY COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 8; THENCE S 00° 07' 32" E, A DISTANCE OF 544.59 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 'F'; THENCE S 00° 07' 32" E, A DISTANCE OF 313.82 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, AND ALSO ALONG THE EAST LINE OF SAID PARCEL 'F';(THE NEXT 4 CALLS ARE ALONG SOUTHERLY AND EASTERLY LINES OF SAID PARCEL 'F') THENCE S 89° 53' 41" W, A DISTANCE OF 354.38 FEET; THENCE S 00° 07' 11" E, A DISTANCE



OF 394.44 FEET; THENCE S 89° 32' 59" W, A DISTANCE OF 95.65 FEET; THENCE S 00° 18' 30" E, A DISTANCE OF 74.31 FEET; THENCE S 89° 46' 27" W, A DISTANCE OF 2,226.37 FEET ALONG THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 8, AND ALSO ALONG THE SOUTH LINE OF SAID PARCELS 'F' AND 'A'; THENCE N 00° 11' 18" E, A DISTANCE OF 1,322.86 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, AND ALSO ALONG THE WEST LINE OF SAID PARCEL 'A'; THENCE N 89° 41' 21" E, A DISTANCE OF 1,334.48 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, AND ALSO ALONG THE NORTH LINE OF SAID PARCEL 'A'; THENCE S 00° 01' 17" W, A DISTANCE OF 544.59 FEET ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 8, AND ALSO ALONG THE EAST LINE OF SAID PARCEL 'A'; THENCE N 89° 41' 21" E, A DISTANCE OF 1,335.88 FEET ALONG THE NORTH LINE OF SAID PARCEL 'F' TO THE POINT OF BEGINNING.

Section 2: All other ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3: This ordinance is in full force and effect from and after its adoption and publication as provided by law.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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Diane R. Voss, City Clerk

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John A. Haila, Mayor